

ORDINANCE NO. _____

ORDINANCE AMENDING CHAPTER 6 OF THE BELMONT CITY CODE

The City Council of the City of Belmont does ordain as follows:

SECTION 1: Chapter 6 of the Belmont City Code is hereby amended to read as follows:

**CHAPTER 6
BICYCLES**

Sec. 6-1. Defined.

For purposes of this chapter, a bicycle is a device upon which any person may ride, propelled by human power through a belt, chain or gears, and having two (2) or three (3) wheels in a tandem or tricycle arrangement.

Sec. 6-2. Reserved.

Sec. 6-3. Application for issuance of licenses and registration cards.

The police department is hereby authorized to issue bicycle licenses and registration cards upon request by bicycle owners.

Sec. 6-4–6.6. Reserved.

Sec. 6-7. Tampering with plates, frame numbers, registration cards.

It shall be unlawful for any person willfully or maliciously to remove, destroy, mutilate or alter the number of the frame of any bicycle licensed pursuant to this chapter.

Sec. 6-8. Fees.

The City shall adopt, by resolution, a fee schedule for issuance of bicycle licenses and registration cards.

Sec. 6-9. Carrying more than one person.

(a) No person operating a bicycle upon a highway shall ride other than upon or astride a permanent and regular seat attached thereto.

(b) No operator shall allow a person riding as a passenger, and no person shall ride as a passenger, on a bicycle upon a highway other than upon or astride a separate seat attached thereto. If the passenger is four years of age or younger, or weighs forty (40) pounds or less, the seat shall have adequate provision for retaining the passenger in place and for protecting the passenger from the moving parts of the bicycle.

Sec. 6-10. Clinging to moving vehicles.

No rider of a bicycle, while riding the same, shall hold onto any other vehicle while the same is moving upon any public street or highway in the city.

Sec. 6-11. Equipment requirements.

(a) No person shall operate a bicycle on a roadway unless it is equipped with a brake which will enable the operator to make one braked wheel skid on dry, level, clean pavement.

(b) No person shall operate on the highway any bicycle equipped with handle bars so raised that the operator must elevate his hands above the level of his shoulders in order to grasp the normal steering grip area.

(c) No person shall operate upon any highway a bicycle which is of such a size as to prevent the operator from safely stopping the bicycle, supporting it in an upright position with at least one (1) foot on the ground, and restarting it in a safe manner.

(d) Every bicycle operated upon any highway during darkness shall be equipped:

(1) with a lamp emitting a white light which, while the bicycle is in motion, illuminates the highway in front of the bicyclist and is visible from a distance of three hundred (300) feet in front and from the sides of the bicycle;

(2) with a red reflector on the rear which shall be visible from a distance of five hundred (500) feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle;

(3) with a white or yellow reflector on each pedal visible from the front and rear of the bicycle from a distance of two hundred (200) feet; and

(4) with a white or yellow reflector on each side forward of the center of the bicycle, and with a white or red reflector on each side to the rear of the center of the bicycle, except that bicycles which are equipped with reflectorized tires on the front and the rear need not be equipped with these side reflectors. Such reflectors and reflectorized tires shall be of a type meeting requirements established by the department.

(e) A person under eighteen (18) years of age shall not operate a bicycle or ride upon a bicycle as a passenger, upon a highway or bikeway, as defined in Section 890.4 of the Streets and Highways Code, or any other public bicycle path or trail unless that person is wearing a properly fitted and fastened bicycle helmet that meets the standards of either the American Society for Testing and Materials (ASTM) or the United States Consumer Product Safety Commission (CPSC), or standards subsequently established by those entities. This requirement also applies to a person who rides upon a bicycle while in a restraining seat that is attached to the bicycle or in a trailer towed by the bicycle.

Sec. 6-12. Cooperation with other cities.

The police department of this city shall cooperate and exchange information with the police departments of San Carlos and San Mateo and other nearby cities in respect to the licensing of bicycles to minimize traffic in stolen bicycles.

SECTION 2: Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Belmont hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more section, subsection, sentence, clause, phrase or portion may be declared invalid or unconstitutional.

SECTION 3: Pursuant to Section 36937 of the Government Code of the State of California, this Ordinance shall take effect and be in full force and effect thirty (30) days after its final passage.

SECTION 4: The City Clerk shall cause this Ordinance to be published and posted in accordance with the requirements of Section 36933 of the Government Code of the State of California.

Introduced this _____ day of June, 2003.

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PASSED AND ADOPTED as an Ordinance of the City of Belmont at a regular meeting thereof held on the _____ day of June, 2003.

AYES, COUNCILMEMBERS: _____

NOES, COUNCILMEMBERS: _____

ABSENT, COUNCILMEMBERS: _____

ABSTAIN, COUNCILMEMBERS: _____

Mayor of the City of Belmont

ATTEST:

Clerk of the City of Belmont

ORDINANCE NO. _____

**ORDINANCE AMENDING CHAPTER 14, ARTICLE V
OF THE BELMONT CITY CODE**

The City Council of the City of Belmont does ordain as follows:

SECTION 1: Chapter 14, Article V of the Belmont City Code is hereby amended to read as follows:

CHAPTER 14

MOTOR VEHICLES AND TRAFFIC

**ARTICLE V. SKATEBOARDS, SKATES, SCOOTERS, BICYCLES, ELECTRONIC
PERSONAL ASSISTIVE MOBILITY DEVICES AND SIMILAR VEHICLES**

Sec. 14-151. Bicycles, skateboards, motorized skateboards, scooters, motorized scooters, roller skates, in-line skates and similar vehicles, electronic personal assistive mobility devices defined as a self-balancing, non-tandem two-wheeled device that can turn in place and is designed to transport one or more persons, with an electronic propulsion system, or similar vehicles, are prohibited:

(a) On any sidewalk, street, alley, parking lot, park, trail, or other public place, designated by resolution of the city council and where signs are in place giving notice thereof.

(b) In those areas designated by resolution of the city council, signage shall be posted in a conspicuous place indicating that operation of the above-referenced vehicles is prohibited within that area.

(c) This prohibition shall not apply to any bikeway designated as such by resolution of the city council.

(d) Wheelchairs and other similar vehicles for the transportation of the handicapped,

baby carriages, and strollers for transportation of young person, handcarts and other similar vehicles used for delivery of personal property or used in construction are excluded from this prohibition.

(e) No person shall operate any of the above-referenced vehicles in a reckless manner within the city.

For purposes of this section, “reckless” shall mean operation of the above-referenced vehicles in willful or wanton disregard for the safety of persons or property and specifically includes, but is not limited to, the following specific conduct:

(1) Operation at a speed greater than reasonable or prudent having due regard for weather, visibility, pedestrian and vehicular traffic and the condition of the vehicle;

(2) Operation in such a manner as to result in loss of control of the vehicle;

(3) Operation in such a manner as to result in a collision or accident involving any vehicle, property, or pedestrian;

(4) Operation when an operator is under the influence of any alcoholic beverage or drug as those terms are defined in California Vehicle Code section 23152; or

(5) Operation in such a manner as to endanger life, limb, or property of any person.

(f) Any person using any of the above-referenced vehicles shall yield the right of way to and not interfere with pedestrian traffic.

Sec. 14-152. Exceptions.

The provisions of this section shall not apply to any of the above-referenced vehicles operated by any peace officer employed by the city and acting within the course and scope of his or her employment.

Section 14-153. Penalty for violation of section 14-151.

Any person violating the provisions of this article shall be subject to the General Penalty Provisions of this Code Section 1-8.

Secs. 14-154–14-159. Reserved.

SECTION 2: Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Belmont hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more section, subsection, sentence, clause, phrase or portion may be declared invalid or unconstitutional.

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Introduced this _____ day of June, 2003.

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PASSED AND ADOPTED as an Ordinance of the City of Belmont at a regular meeting thereof held on the _____ day of June, 2003.

AYES, COUNCILMEMBERS: _____

NOES, COUNCILMEMBERS: _____

ABSENT, COUNCILMEMBERS: _____

ABSTAIN, COUNCILMEMBERS: _____

Mayor of the City of Belmont

ATTEST:

Clerk of the City of Belmont